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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/331,499	06/21/1999	HENRIK ALMS	P99.1138	1747

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EXAMINER
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SWERDLOW, DANIEL

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/331,499

Applicant(s)

ALMS ET AL.

Examiner

Daniel Swerdlow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 17 June 2004 has been entered and applicant's supplemental amendment filed with the request for continued examination on 17 September 2004 has also been entered.

### *Claim Rejections - 35 USC § 102*

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 11 through 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Jouper et al. (US Patent 5,754,445).
4. Regarding Claim 11, Jouper discloses a load distribution system that: makes power available to a first user (i.e., **connects a single one of the users to the energy source**) (column 9, lines 52-56); supplies extra current when a new device is added (i.e., **supplies an initial feed current limited to a maximum value in a connection phase**) (column 11, lines 6-9); continuously measures the amount of power drawn by each user (i.e., **measures the feed current that is supplied to the user**) (column 10, lines 42-45); removes power if power is not within a normal range after a predetermined time (i.e., **after an error-free waiting time, limits**

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**feed current to a standard value)** (column 10, lines 5-10); **repeats the method for additional users** (column 9, lines 49-51), wherein users connect to system at will (i.e., **in chronological sequence**) (column 9, lines 52-56) and have the amount of power drawn continuously measured (i.e., **monitored with regard to power consumption**) (column 10, lines 42-44); and monitors converter output upon initial enablement (i.e., **checks for errors during the connection phase**) (column 10, lines 7-10) and continuously measure the amount of power being drawn (i.e., **and during an operating phase**) (column 10, lines 42-44).

5. Claim 12 is essentially similar to Claim 11, but with a group of users corresponding to each user of Claim 11. Jouper discloses a number (i.e., **group**) of electronic devices (i.e., **users**) connected to each power unit (column 3, lines 52-56).

6. Regarding Claim 13, Jouper further discloses generation of a fault signal and removal of power (i.e., **disconnection of a user**) if the output is not within normal operating range within a period of time (i.e., **that continues to use the maximum value of feed current after the expiration of the waiting time**) (column 10, lines 7-15).

7. Regarding Claim 14, Jouper further discloses determining a maximum load limit (i.e., **allocating the maximum value of feed current after the waiting time**) set at some safety level below device-tolerance (i.e., **wherein a current reserve is available**) (column 10, lines 23-31).

8. Regarding Claim 15, Jouper further discloses continuous measuring to remove power from users that exceed a respective power unit maximum (i.e., **detecting if a user is defective repeatedly during the operating phase based on measured feed current and maintaining current to non-defective users**) (column 10, lines 42-55).

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9. Regarding Claim 16, Jouper further discloses continuous measuring (i.e., **periodic checking**) of power drawn by all power units (i.e., **users with maximum value of feed current**) (column 10, lines 42-44).

10. Regarding Claim 17, Jouper further discloses a maximum load limit (column 10, lines 23-31) that corresponds to  $(n)I_{\text{standa}}$  claimed and a boost current (column 11, lines 6-9) that corresponds to  $I_{\text{max}} - I_{\text{standa}}$  claimed such that the maximum available current corresponds to  $I_{\text{max}}$  claimed. As such,  $I_{\text{rmax}} = (n)I_{\text{standa}} + (I_{\text{max}} - I_{\text{standa}})$  or  $I_{\text{rmax}} = I_{\text{max}} + (n)I_{\text{standa}} - I_{\text{standa}}$  or

11.  $I_{\text{rmax}} = I_{\text{max}} + (n-1)I_{\text{standa}}$ .

12. Claim 18 is essentially similar to Claim 17, but with a group of users corresponding to each user of Claim 17. Jouper discloses a number (i.e., **group**) of electronic devices (i.e., **users**) connected to each power unit (column 3, lines 52-56).

### *Response to Arguments*

13. All of applicant's arguments made in the after-final amendment filed 17 June 2004 were addressed in the Advisory Action mailed on 30 July 2004. Applicant has made no arguments in support of patentability in light of the supplemental amendment filed with the request for continued examination filed on 17 September 2004. As shown in the prior art rejections above, the prior art already of record anticipates the claims as amended. In particular, the limitation "additional users are connected to the energy source in chronological sequence" is extremely broad, encompassing any situation where all users are not connected simultaneously. As such, the limitation was encompassed by the limitation "successively repeating the method for additional users" where the first step of the method was "connecting a single one of the users".

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These recitations in the claim before amendment clearly imply “additional users are connected to the energy source in chronological sequence”. Similarly the newly added limitation “the additional users are monitored with regard to power consumption” is implied by the previously existing limitations “measuring the feed current that is supplied to the user” and “successively repeating the method for additional users”. For this reason, the claims presented are drawn to the same invention claimed in the application prior to the submission. As such, this action is made final.

### *Conclusion*

14. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE** MONTHS from the mailing date of this action. In the event a first reply is filed within **TWO** MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Swerdlow whose telephone number is 703-305-4088. The examiner can normally be reached on Monday through Friday between 8:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forrester Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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XU MEI  
PRIMARY EXAMINER